

IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION

GREG DAVIS, as next friend and)
natural guardian of Josh Davis)
)
Plaintiff,)
) CASE NO.: 1:06-CV-953-MEF
v.)
)
HOUSTON COUNTY, ALABAMA)
BOARD OF EDUCATION,)
)
Defendant.)

PLAINTIFF'S REPLY TO ORDER

Comes now Counsel for the Plaintiff pursuant to this Court's Order (Doc. 20) and represents as follows:

1. That upon review of the Counsel's records it would appear that Counsel did in fact fail to file the required Notice concerning Settlement Conference and Mediation. Counsel can only attribute his failure to file to inattention to the date due to preoccupation with responding to the Defendant's Motion for Summary Judgment.

2. In addition, Counsel does not recall having any conversation with Defense Counsel regarding Settlement and such would be customary in that in such discussion would be predicated on the Summary Judgment Ruling.

Wherefore, Counsel offers this Reply as an attempt to explain and not as an excuse. As such, Counsel stands prepared to accept sanctions this Court believes reasonable.

Malcolm R. Newman, Attorney, PC

/s/ Malcolm R. Newman
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CERTIFICATE OF SERVICE

I hereby certify that on February 1, 2008, I have filed a copy of the foregoing via the CM/ECF System which will send notification to the following:

Jere C. Segrest
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Kevin Walding
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/s/ Malcolm R. Newman

Malcolm R. Newman